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3                   **UNITED STATES DISTRICT COURT**  
4                   **FOR THE WESTERN DISTRICT OF WASHINGTON**  
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6                   **MALLARD IP LLC,**

7                   Plaintiff,

8                   v.  
9

10                  **INSPUR SYSTEMS, INC.,**

11                  Defendant.

12                  CASE NO. 21-CV-1332

13                  **COMPLAINT FOR PATENT**  
14                  **INFRINGEMENT**

15                  **JURY TRIAL DEMANDED**

16                  **COMPLAINT FOR PATENT INFRINGEMENT**

17                  Plaintiff Mallard IP LLC (“Plaintiff”) files this Complaint for Patent  
18                  Infringement against Defendant, and states as follows::

19                  **THE PARTIES**

20                  1. Plaintiff is a limited liability company organized and existing under  
21                  the laws of the State of Texas, having its principal office at 3333 Preston Rd, Ste.  
22                  300 – 1064, Frisco, TX 75034..

23                  2. Defendant Inspur Systems, Inc. (“Defendant”) is a corporation  
24                  organized under the laws of the State of California and having a regular and

1 established place of business in the State of Washington. Defendant may be served  
2 with process through its registered agent, VCORP Services, LLC, 711 Capitol Way  
3 S, Ste. 204, Olympia, WA 98501-1267. Upon information and belief, Defendant  
4 makes, uses, offers to sell, sells, and/or imports products and services throughout  
5 the United States, including in this judicial district.

6

7 **JURISDICTION AND VENUE**

8

9       3. This Court has exclusive subject matter jurisdiction over this case  
10 pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises  
11 under the Patent Laws of the United States, 35 U.S.C. § 1 et seq., including,  
12 without limitation, 35 U.S.C. §§ 271, 281, 284, and 285.

14

15       4. This Court has general and specific personal jurisdiction over  
16 Defendant, consistent with due process. On information and belief, Defendant also  
17 has a regular place of business in the State of Washington at 2002 156th Avenue  
18 NE, Ste. 150, Bellevue, WA 98007-3828. Further, Defendant has minimum  
19 contacts with the State of Washington, and Defendant has purposefully availed  
20 itself of the privileges of conducting business in the State of Washington,  
21 including, on information and belief, through the sale and offer for sale of the  
22 accused products and/or services throughout the State of Washington and this  
23 judicial district.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b) on the  
1 grounds that Defendant has a place of business and has committed acts of  
2 infringement in this judicial district.  
3

4 **FACTUAL BACKGROUND**  
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6 **U.S. Patent No. 6,603,330**

7. Plaintiff is the owner by assignment of all right, title, and interest in  
8 and to United States Patent No. 6,603,330, entitled “Configuring Digital Functions  
9 in a Digital Configurable Macro Architecture” (“the ’330 patent”), including the  
10 right to sue for all past, present, and future infringement, which assignment was  
11 duly recorded in the USPTO.  
12

14. 7. A true and correct copy of the ’330 patent is attached hereto as Exhibit  
15 A. The ’330 patent is incorporated herein by reference.  
16

17. 8. The application that became the ’330 patent was filed on July 18,  
18 2001.  
19

20. 9. The ’330 patent issued on August 5, 2003, after a full and fair  
21 examination by the USPTO.  
22

23. 10. The ’330 patent is valid and enforceable and directed to eligible  
24 subject matter.  
25

11. The elements recited in the asserted claims of the '330 patent were not well-understood, routine, or conventional when the application that became the '330 patent was filed.

12. The claims of the '330 patent, including claim 25, are directed to technical solutions to technical problems involved in configuring programmable digital circuit blocks.

## COUNT I: INFRINGEMENT OF THE ‘330 PATENT

13. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

14. Defendant has made, used, sold, offered for sale, and/or imported products and/or services that incorporated one or more of the inventions claimed in the '330 patent.

15. For example, Defendant has infringed at least claim 25 of the '330 patent, either literally or under the doctrine of equivalents, in connection with Defendant's NF3120M5, as detailed in the preliminary claim chart attached hereto as Exhibit B and incorporated herein by reference.

16. Defendant's infringing activities have been without authority or license under the '330 patent.

17. Plaintiff has been damaged by Defendant's infringement of the '330  
1 patent, and Plaintiff is entitled to recover damages for Defendant's infringement,  
2 which damages cannot be less than a reasonable royalty.  
3

4 **JURY DEMAND**  
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6 18. Plaintiff demands a trial by jury of all issues so triable.  
7

8 **PRAYER FOR RELIEF**  
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10 19. Plaintiff respectfully requests that the Court find in its favor and  
11 against Defendant, and that the Court grant Plaintiff the following relief:  
12

13 20. Entry of judgment that Defendant has infringed one or more claims of  
14 the '330 patent,  
15

16 21. Damages in an amount to be determined at trial for Defendant's  
17 infringement, which amount cannot be less than a reasonable royalty,  
18

19 22. Pre-judgment and post-judgment interest on the damages assessed,  
20

21 23. That the Court declare this to be an exceptional case and award  
22 Plaintiff its reasonable attorneys' fees and expenses in accordance with 35 U.S.C.  
23 § 285, and  
24

24. Such other and further relief, both at law and in equity, to which

1 Plaintiff may be entitled and which the Court deems just and proper.

2  
3 DATED this 30<sup>th</sup> day of September, 2021.

4  
5 By: s/ Philip P. Mann  
6 Philip P. Mann, WSBA No. 28860  
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10 Together with:

11 Cortney S. Alexander (pro hac forthcoming)  
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16  
17 **Counsel for Plaintiff**  
18 **Mallard IP LLC**